HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 13289 OF 2006

DATED: 17.1.2007

Between:

Pokala Krishnaiah and others

… Petitioners

and

The Special Dy. Collector and others

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.13289 OF 2006

ORAL ORDER:

The writ petition is misconceived.

The petitioners claim to be the owners and to have been in possession of lands in an extent Ac.4.08 guntas and Ac.3.12 guntas in Sy.Nos.187 and 188 of Kistapuram village, Mellacheruvu Mandal, Nalgonda District. The petitioners' lands are stated to have been submerged under the "Pulichintala Project" and for this reason the lands were acquired by the State. The petitioners assert that when they approached the 1st respondent and submitted documents in support of their title for the purpose of claiming compensation for their lands, they were informed by the 1st respondent that the 4th respondent is claiming compensation in respect of the lands, on the ground that the lands in question belong to Sri Anjaneya Swamyvari Devasthanam. The petitioners assert that no such Devasthanam exists in and around Sy.Nos. 187 and 188 of the village.

In the circumstances, the petitioners got issued notices to the 3rd and 4th respondents, calling upon the said respondents to furnish

relevant documentation in support of their claim as to the existence of a Temple on lands in Sy.Nos. 187 and 188 of the village. The petitioners also called upon the respondents 1 and 2 not to pay/release compensation in respect of the acquired land to the 3rd and 4th respondents. After receipt of notices from the petitioners, the 4th respondent is stated to have sent a letter to their counsel on 12.6.2006, stating that the 4th respondent would verify the records as to the existence of Sri Anjaneyaswamy Vari Devasthanam. Apprehending that the 1st respondent would pay the compensation for the lands of the petitioners, acquired in Sy.Nos. 187 and 188 of the village to the respondents 3 and 4, the writ petition is filed.

Admittedly, no decision has been taken on the competing claims of the petitioners on the one hand and the respondents 3 and 4 on the other, as to the entitlement to receive the compensation for the acquired lands in the said survey numbers. The writ petition is premature.

No cause of action exists for filing this writ petition. The writ petition is accordingly dismissed. No costs.

GODA RAGHURAM, J

Date: 17.1.2007
CVM